

IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE: **NELITZA TORRES ORTIZ**
SSN xxx-xx-2963

CASE NO: **19-06358-MCF**

Debtor(s)

Chapter 13

TRUSTEE'S OBJECTION TO PROPOSED PLAN CONFIRMATION UNDER SECTION 1325

*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **ROBERTO FIGUEROA CARRASQUILLO***

Total Agreed: **\$4,000.00** Paid Pre-Petition: **\$525.00** Outstanding (Through the Plan): **\$3,475.00**

*TRUSTEE'S POSITION RE CONFIRMATION UNDER U.S.C. §1325

Debtor's/s' Commitment Period: ☐ Under Median Income 36 months ☒ Above Median Income 60 months §1325(b)(1)(B)
☐ The Trustee cannot determine debtor's/s' commitment period at this time. Projected Disposable Income: **\$0.00**

Liquidation Value: \$0.00 Estimated Priority Debt: \$14,215.54

If the estate were liquidated under Chapter 7, nonpriority unsecured claims would be paid approximately \$0.00

With respect to the (amended) Plan date: **Jul 08, 2020 (Dkt 36)** **Plan Base: \$30,008.00**

The Trustee: ☐ **DOES NOT OBJECT** ☒ **OBJECTS** Plan Confirmation Gen. Uns. Approx. Dist.: 3.8 %

The Trustee objects to confirmation for the following reasons:

[1325(a)(1)] Failure to comply with her/his/their duties.[11 U.S.C.704(a)(4) and 1302(b)(1)]

- Debtor has failed to submit post-petition tax returns for evaluation.

Re: 2019 local tax return and 1040 PR form.

At the time Debtor filed the case she had been working in Colegio la Merced only 1 month. The Trustee requests evidence of income generated during the months of September 2019-June 2020. Per evidence submitted, which is incomplete, it appears that Debtor has more income than the amount listed in Schedule I.

Also, Debtor operates a business. Debtor has failed to submit income and expense sheets for the months of April 2019-June 2019. The Trustee also requests MORs for the months of October 2019-June 2020.

The Trustee will verify MT and SCH I once such data is submitted.

Part 4: Priority

Debtor should verify Section 4-4 of the plan since she is instructing the Trustee to pay IRS' claim 2-1 and IRS filed an amended claim on July 8, 2020.

***OTHER COMMENTS / OBJECTIONS**

NONE.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(S), and to her/his/their attorney through CM-ECF notification system. <div>Case 19-06358-MCF13 Doc# 39 Filed 07/15/20 Entered 07/15/20 10:22:43 Desc Main Document Page 2 of 2</div>	
<div>/s/ Jose R. Carrion, Esq. CHAPTER 13 TRUSTEE PO Box 9023884, San Juan PR 00902-3884 Tel. (787)977-3535 Fax (787)977-3550</div> <div>/s/ Nannette Godreau, Esq.</div>	Date: July 15, 2020
Last Docket Verified: 38 Last Claim Verified: 13 (2-1) CMC: GR	